

# Morgan Lewis

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February 15, 2024

VIA CM/ECF

The Hon. Jeffrey L. Cureton, U.S.M.J.  
U.S. District Court, Northern District of Texas  
501 West 10th Street, Room 520  
Fort Worth, Texas 76102

Re: **Conghua Yan v. U.S. Bank, et al,**  
**Case No. 4:23-cv-00758-P**

Dear Judge Cureton:

We are counsel for defendant U.S. Bank, which moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss the Third Amended Complaint filed by pro se plaintiff Conghua Yan. (Dkt. 126.) After filing our moving brief on January 11, 2024, the Court on January 13, 2024 ordered administrative closure of this case and elimination of it "from the statistical records until further notice" in view of Plaintiff's notice of interlocutory appeal. (Dkt. 139.) The Court further ordered Plaintiff to "file a motion to reopen the case within thirty days of the resolution of th[at] appeal." (*Id.*)

Despite the case remaining closed, on February 11, 2024, Plaintiff purported to file a Response to U.S. Bank's Motion to Dismiss. (Dkt. 140.) Because this case is closed pursuant to Court Order, U.S. Bank understands that Plaintiff must re-file his Response after he moves the Court to "reopen the case within thirty days of the resolution of the appeal." Unless instructed otherwise by the Court, U.S. Bank will not serve a Reply in further support of its Motion to Dismiss while this case remains closed.

Thank you for Your Honor's attention to this matter.

Respectfully submitted,

*/s/ Tyler J. Hill*

Tyler J. Hill

cc (via CM/ECF): The Hon. Mark Pittman, U.S.D.J.

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